

Exhibit D

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Attn: FOIA/PA Appeals Office
P.O. Box 648010
Lee's Summit, MO 64064-8010



U.S. Citizenship
and Immigration
Services

APP2019501738

December 9, 2019

Naz Ahmad
Main Street Legal Services
2 Court Square
Long Island City, NY 11101-4356

Dear Naz Ahmad:

This is in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request received in this office on November 25, 2019 regarding Abderrahmane Farhane.

Thank you for your letter of November 18, 2019, concerning Freedom of Information Act ("FOIA") request number NRC2018126559, in which you note that USCIS not yet responded to your FOIA request.

Your FOIA request is not subject to administrative appeal at this time, since no specific material has been denied in response to the request. The FOIA, at 5 U.S.C. § 552(a)(6)(C), provides that a requester shall be deemed to have exhausted his or her administrative remedies if an agency fails to respond within the applicable time limit specified in the paragraph, which is twenty days (with certain exceptions).

This provision does not provide a basis for an administrative appeal of a request that is still being processed. Moreover, the lack of a substantive response to date is not the same as a response indicating that no documents were found.

I have confirmed that your request is being processed. USCIS receives more than 150,000 FOIA and Privacy Act requests every year, more than any other U.S. government agency. USCIS FOIA personnel consider your request important and have no intention of delaying it. USCIS will process your request as soon as possible, but in the order it was received, as established by law. I have sent a copy of your letter to the National Records Center for their information. You may check the status of your request at any time online at <https://egov.uscis.gov/foiawebstatus/>.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan D. Hughes".

Alan D. Hughes, Associate Counsel
U.S. Citizenship and Immigration Services